

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for
Eastern District of Washington

Dec 13, 2018

SEAN F. MCVOY, CLERK

U.S.A. vs. Brown, Margarie L. Docket No. 2:17CR00128-RMP-8

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, U.S. Probation Officer, presenting an official report upon the conduct of defendant Margarie L. Brown, who was placed under pretrial release supervision by the Honorable John T. Rodgers, U.S. Magistrate Judge, sitting in the Court at Spokane, Washington, on August 2, 2017.

On March 21, 2018, Ms. Brown was placed under a sentencing diversion agreement by the Honorable Rosanna Malouf Peterson, U.S. District Judge, sitting in the Court at Spokane, Washington.

On November 20, 2018, Ms. Brown appeared before the Honorable Rosanna Malouf Peterson, U.S. District Judge, sitting in the Court at Spokane, Washington. The Court extended Ms. Brown's pretrial diversion under the following additional conditions:

Condition #22: Defendant shall abstain from the possession, use, and distribution of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802), without prescription by a licensed medical practitioner. Defendant shall not possess or use marijuana in any amount, regardless of whether she has a prescription by a licensed medical practitioner.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: Margarie L. Brown is alleged to have tested positive for the presence of amphetamine and methamphetamine on November 28, 2018.

On November 8, 2018, Ms. Brown reviewed and signed the sentencing diversion agreement extension with defense counsel. On November 20, 2018, Ms. Brown appeared before the Court and her pretrial diversion agreement extension was accepted.

On November 28, 2018, Ms. Brown reported to the U.S. Probation Office and provided a urine sample that tested presumptive positive for the presence of amphetamine and methamphetamine. Ms. Brown admitted to smoking methamphetamine on November 22, 2018, and signed a substance abuse admission form. In addition, the urine specimen was sent to Alere Toxicology (Alere) for further analysis.

On December 4, 2018, Alere confirmed the above-noted urine sample tested positive for the presence of amphetamine and methamphetamine.

Violation #2: Margarie L. Brown is alleged to have tested positive for the presence of amphetamine and methamphetamine on December 4, 2018.

On November 8, 2018, Ms. Brown reviewed and signed the sentencing diversion agreement extension with defense counsel. On November 20, 2018, Ms. Brown appeared before the Court and her pretrial diversion agreement extension was accepted.

On December 4, 2018, Ms. Brown reported to the U.S. Probation Office and provided a urine sample that tested positive for the presence of amphetamine and methamphetamine. Ms. Brown verbally admitted to U.S. Probation Officer (USPO) Melissa Hanson to ingesting methamphetamine approximately 5 days earlier. The urine specimen was sent to Alere Toxicology (Alere) for further analysis. It should be noted, USPO Hanson instructed Ms. Brown to wait in the lobby of the U.S. Probation Office until the undersigned officer could meet with her to discuss the above-noted test results. Ms. Brown

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left the U.S. Probation Office without meeting with the undersigned officer. She sent the undersigned officer a text message later on December 4, 2018, claiming she left her cellular telephone on the bus and needed to retrieve it.

On December 7, 2018, Alere confirmed the above-noted urine specimen tested positive for the presence of amphetamine and methamphetamine.

Violation #3: Margarie L. Brown is alleged to have tested presumptive positive for the presence of amphetamine and methamphetamine on December 12, 2018. She admitted to ingesting methamphetamine approximately 4 or 5 days prior and signed a substance abuse admission form.

On November 8, 2018, Ms. Brown reviewed and signed the sentencing diversion agreement extension with defense counsel. On November 20, 2018, Ms. Brown appeared before the Court and her pretrial diversion agreement extension was accepted.

On December 12, 2018, Ms. Brown reported to the U.S. Probation Office and provided a urine sample that tested presumptive positive for the presence of amphetamine and methamphetamine. Ms. Brown admitted to USPO Cassie Lerch she ingested methamphetamine 4 or 5 days earlier. Subsequently, Ms. Brown signed a substance abuse admission form reflecting her use of methamphetamine.

PRAYING THAT THE COURT WILL ORDER A WARRANT

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: December 13, 2018

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other Defendant is on notice that the Court signed the warrant, but delayed issuing it based on the report that Defendant has attended outpatient sessions on December 10 and 11.



Signature of Judicial Officer

12/13/2018

Date